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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,333	12/12/2003	Abhinav Aggarwal		3776
59597 7590 10/08/2010 DR. ABHINAV AGGARWAL 100 SAINT AYERS WAY CHAPEL HILL, NC 27517				
EXAMINER KOPPIKAR, VIVEK D				
ART UNIT 3686		PAPER NUMBER		
MAIL DATE 10/08/2010		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/735,333

Applicant(s)

AGGARWAL, ABHINAV

Examiner

VIVEK D. KOPPIKAR

Art Unit

3686

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Status of the Application

1. Claims 1-11 have been examined in this application. This communication is in response to the "Amendment" and "Remarks" filed on August 30, 2010.
2. An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

A listing of registered patent attorneys and agents is available on the USPTO Internet web site <http://www.uspto.gov> in the Site Index under "Attorney and Agent Roster." Applicants may also obtain a list of registered patent attorneys and agents located in their area by writing to the Mail Stop OED, Director of the U. S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication 2003/0145192 to Turner in view of US Patent Number 7,191,187 to Takeshita and in even further view of Official Notice.

(A) As per claim 1, Turner teaches a system for generating and applying global unique identification number as universal identification number which is issued only once to each and every human being (Turner: Abstract):

a) is issued only once to every single person and forever uniquely identifies each and every human being on the planet from birth to death and after (Turner: Section [0005]);

b) is never recycled (Turner: Section [0005]);

c) becomes a cross reference identifier to identify verification, issue and verification of all identification documents, human and patient tracking, monitoring, medical record access for diagnosis and treatment and human rescue (Turner: Section [0005]);

d) becomes an access key in data system accessed by authorized law enforcement agencies provided with additional security access codes to obtain identification information (Turner: Section [0005]);

whereby only allowing authorized access to data (Turner: Sections [0005]-[0006] and [0015]);

e) becomes an access key in a data system accessed by authorized hospitals or medical agencies provided with additional security access codes to obtain medical records (Turner: Section [0005]);

whereby providing immediate medical data to authorized agencies and f) becomes a verification identifier in data system for credit, debit, and automated teller machine card

transaction verification by matching an additional access code known to the holder of the said universal identification number received in an encrypted manner (Turner: Section [0005]).

Turner does not teach the following feature which is taught by Takeshita (Col. 7, Ln. 65-Col. 8, Ln. 23 and Col. 8, Ln. 37-50):

g) providing a monitoring system for the said universal identification number data which will receive request for providing information about the universal identification number holder, and appropriately processing these requests after duly authenticating and validating the identity and authorization access of the information seeker.

At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the teachings of Turner with these aforementioned teachings from Takeshita with the motivation of having a means of preventing information from unauthorized disclosure, as recited in Takeshita (Col. 2, Ln. 5-10).

The combined teachings of Turner in view of Takeshita do not teach or suggest the following features, however, the Office takes Official Notice that these teachings are well known in the field of information security:

whereby providing the authenticated and secured credit, debit, and automated teller machine card transactions, and alerting the card issuer and law enforcement agencies after pre-determined number of attempts at input of correct authorization code fail, as agreed between the card holder and issuer and providing only the needed information as authorized by law to the seeker, and logging all request and transactions for the information retrieval.

At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined teachings of Turner in view of Takeshita with these above aforementioned features with the motivation of having an enhanced means of protecting confidential and sensitive information.

(B) As per claims 2-8, these claims recite various means for generating a Unique Identification Number (UIN) using various combinations of alphanumeric digits, characters, user names and the date of issue of the UIN and these claims also recite various design choices such as the number of layers of security in the form of additional passwords and access codes as well as various design choices delineating how the identification card is configured. The Office takes Official Notice that these various design choices are well known in the field of information security, and, at the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined teachings of Turner in view of Takeshita with the claimed features with the motivation of having a means of meeting various customer needs.

(C) As per claims 10-11, Turner teaches that the authorized law enforcement agency or authorized medical hospital or agency provides its additional secure access code to submit query and obtain the identity data through the universal identification number system (Turner: Sections [0005]-[0006] and [0015]).

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Turner in view of Takeshita in even further view of Official Notice, as applied to Claim 1, and in even further view of US Patent Number 6,968,457 to Tam.

The combined teachings of Turner in view of Takeshita in view of Official Notice do not teach or suggest the following features which are taught by Tam (Col. 2, Ln. 21-35 and Col. 3, Ln. 63-67):

the deoxyribonucleic acid sample obtained from the universal identification number applicant and stored securely by the universal identification number issuing and identify protection agency in a secure environment, and this deoxyribonucleic acid sample is released only in the case of the need to do so, upon appropriate request by a court of law under its authority and jurisdiction, in specific country that may normally be the residence nation of universal identification number holder, to settle legal issues and matters related to identity fraud or will enforcement, and the deoxyribonucleic acid sample is referenced to the universal identification number.

At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined teachings of Turner in view of Takeshita in view of Official Notice with these aforementioned teachings from Tam with the motivation of having a means of providing an enhanced authentication means, as recited in Tam (Col. 2, Ln. 14-21).

Response to Arguments

6. Applicant's arguments filed on August 30, 2010 have been fully considered but they are not persuasive. The applicant's arguments will be addressed in sequential order as it was presented in the "Remarks" section filed on August 30, 2010.

(1) In response to applicant's argument that Turner, Takeshita and Tam are nonanalogous art (this argument is essentially what is set forth in points 1-2 and 4-8, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be

reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, both the instant invention and the three above mentioned references relate to methods and systems of developing and designing unique identifiers or identifications numbers for security purposes to be used in various security applications.

(2) In point #3 of the "Remarks", the applicant argues that the Turner invention can apply the current invention "but not the other way around." The Office is confused as to the meaning of this argument and therefore it cannot fully address this argument made by the applicant.

(3) In point #9 of the "Remarks" section, the applicant argues that the combined teachings of Takeshita in view of Turner in view of Tam do not teach or suggest the limitations of this invention. However, the Office would like to point out that the applicant has not pointed out a particular limitation or set of limitations which are in his claims but are not in the above mentioned references. Therefore, it is not clear what limitation(s) which is present in the claims is not taught by the prior art.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Koppikar, whose telephone number is (571) 272-5109. The examiner can normally be reached from Monday to Friday between 8 AM and 4:30 PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Jerry O'Connor, can be reached at (571) 272-6787. The fax telephone numbers for this group are either (571) 273-8300 or (703) 872-9326 (for official communications including After Final communications labeled "Box AF").

Another resource that is available to applicants is the Patent Application Information Retrieval (PAIR). Information regarding the status of an application can be obtained from the (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAX. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, please feel free to contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sincerely,
/Vivek D Koppikar/

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Primary Examiner, Art Unit 3686

10/7/2010